

**COMPLIANCE MONITORING
AUDIT REPORT**

**State of California
California Department of Corrections and Rehabilitation
Corrections Standards Authority
July 28 – 31, 2008**

Julie Herr
Compliance Monitoring Liaison

Thomas Murphy
State Representative

OJJDP

Date of last Compliance Monitoring Audit: August 2002

State of California
California Department of Corrections and Rehabilitation
Corrections Standards Authority
Compliance Monitoring Audit Report

Purpose

A Compliance Monitoring Field Audit was conducted in California on July 28 - 31, 2008 to review the State=s monitoring practices and procedures as required in Sections 223(a) (11), (12), and (13) of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002 and to determine the adequacy of a compliance monitoring system as required in Section 223(a) (14).

The purpose of the field audit was to determine the extent to which California=s system for monitoring compliance with the deinstitutionalization of status offenders (DSO), sight and sound separation of adult and juvenile offenders, and jail and lockup removal provisions of the JJDP Act satisfies the requirements for monitoring contained in OJJDP Formula Grants Consolidated Regulation (28 CFR Part 31) and subsequent guidance provided in the *Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002*.

Julie Herr, Compliance Monitoring Liaison, accompanied Thomas Murphy, State Representative (hereinafter referred to as the OJJDP Compliance Monitoring Audit Team), to assist with data verification, discussions with corrections and law enforcement officials reporting data in the previous year, and providing technical assistance to the Corrections Standards Authority in its efforts to maintain compliance with the Act.

The field audit was preceded by a desk audit which involved the review of California=s 2007 compliance monitoring report and written description of its compliance monitoring system. In keeping with generally accepted auditing principles, the field audit was carried out as an onsite verification of the written materials provided by the State.

Field Audit Schedule

Allison Ganter, Lead Compliance Monitor, was present with the OJJDP Compliance Monitoring Audit Team for all meetings and facility inspections in the greater Sacramento area. On Wednesday, July 30, 2008, the OJJDP Compliance Monitoring Audit Team was accompanied by Field Representatives, Toni Gardner, Ron Bertrand and Frank Nunez, at facility inspections in the Los Angeles area. With the exception of the entrance interview, Juvenile Justice Specialist, Shalinee Hunter, did not participate in this field audit.

The following is a description of the persons contacted and the facilities visited during the field audit.

<u>Monday, July 28th:</u>	California Department of Corrections and Rehabilitation (CDCR) Corrections Standards Authority (CSA)
---------------------------	---

600 Bercut Drive
Sacramento, CA 95814

C. Scott Harris, Jr. Executive Director
Marlon Yarber, Deputy Director, Corrections Planning and
Programs Division (CPP)
Allison Ganter, Lead Compliance Monitor, Facilities Standards
and Operations Division (FSO)
Shaline Hunter, Juvenile Justice Specialist, CPP
Peg Symonik, Staff Services Analyst, FSO
Ron Bertrand, Field Representative, FSO
Toni Gardner, Field Representative, FSO
Frank Nunez, Field Representative, FSO

Purpose: Entrance interview
Desk review of compliance monitoring system

Tuesday, July 29th: O.H. Close Youth Rehabilitation Facility (Juvenile Correctional
7650 South Newcastle Road
P.O. Box 213001
Stockton, CA 95213-9001

Yvette Marc-Aurele, Superintendent
Frank Gomes, Division of Juvenile Justice, CDCR
Laura Randle, Division of Juvenile Justice, CDCR
Josie Slonski, Division of Juvenile Justice, CDCR
Laura Keilman, Division of Juvenile Justice, CDCR
Allison Ganter, Compliance Monitor
Peg Symonik, Staff Services Analyst
Toni Gardner, Field Representative
OJJDP Compliance Monitoring Audit Team

Purpose: Tour facility;
Confirm sight/sound separation; DSO;
Verify compliance data

Tuesday, July 29th: Martinez Detention Facility (Adult Jail)
Contra Costa County Sheriff's Office
1000 Ward Street
Martinez, CA 94553

Sergeant Steve Borbeley
Allison Ganter, Compliance Monitor
Peg Symonik, Staff Services Analyst
Toni Gardner, Field Representative
OJJDP Compliance Monitoring Audit Team

Purpose: Tour facility;
Review and verify policies/procedures on juvenile holding;
Confirm sight/sound separation, DSO, Jail Removal;
Verify compliance data

Tuesday, July 29th: Solano County Justice Center (Court holding facility)
500 Union Avenue
Fairfield, CA 94533

Lt. Mitch Mashburn
Maria Grapewine, Solano County Sheriff's Office
Allison Ganter, Compliance Monitor
Peg Symonik, Staff Services Analyst
Toni Gardner, Field Representative
OJJDP Compliance Monitoring Audit Team

Purpose: Tour facility;
Review and verify policies/procedures on juvenile holding;
Verify classification;
Confirm sight/sound separation

Wednesday, July 30th: Los Padrinos Juvenile Hall (Juvenile Detention Facility)
Los Angeles County Probation Department
9150 East Imperial Highway
Downey, CA 90242

Cheryl Cook, Superintendent
Anthony Williams, Deputy Probation Officer
Angela Solorzano, Detention Services Officer
Toni Gardner, Field Representative
Ron Bertrand, Field Representative
OJJDP Compliance Monitoring Audit Team

Purpose: Tour facility;

Confirm sight/sound separation, DSO;
Verify compliance data

Wednesday, July 30th:

Downey Police Department (Adult lock-up)
10911 Brookshire Avenue
Downey, CA 90241

Sergeant Brian Baker
Thomas Quintero, Downey Police Department
Toni Gardner, Field Representative
Ron Bertrand, Field Representative
Frank Nunez, Field Representative
OJJDP Compliance Monitoring Audit Team

Purpose:

Tour facility;
Review and verify policies/procedures on juvenile holding;
Confirm sight/sound separation, DSO, Jail Removal;
Verify compliance data

Thursday, July 31:

Sacramento Children's Home (Group Home)
2750 Sutterville Road
Sacramento, CA 95820

Michael Peterson, Director of Residential Services
Mary Jolls, DSS
Janet Dupzyk, DSS
Allison Ganter, Compliance Monitor
Gary Wion, Director, CSA
OJJDP Compliance Monitoring Audit Team

Purpose:

Tour facility;
Verify classification/non-secure status

Thursday, July 31:

Exit Conference

J. Scott Harris, Jr. Executive Director
Marlon Yarber, Deputy Director, CPP
Allison Ganter, Lead Compliance Monitor, FSO

Gary Wion, Deputy Director, FSO
Toni Gardner, Field Representative, FSO
Peg Symonik, Analyst, FSO
OJJDP Compliance Monitoring Team

CALIFORNIA'S MONITORING SYSTEM

The Corrections Standards Authority (CSA), an executive level agency within the California Department of Corrections and Rehabilitation, is statutorily mandated to establish and enforce standards for local adult detention facilities and juvenile detention facilities, and to biennially inspect such facilities for compliance with these regulations. Previously known as the Board of Corrections, the Corrections Standards Authority was established effective July 1, 2005. California's compliance monitoring function is housed within the CSA's Facilities Standards and Operations division (FSO) under the leadership of Gary Wion, while the Corrections Planning and Programs division (CPP) under the leadership of Marlon Yarber, manages JJDP Act funds.

Recommendation # 1: California's Federal compliance monitoring and grant management functions are currently administered from different divisions within CSA. This bifurcation of Federal responsibilities is somewhat unusual and can present a challenge to coordination efforts, as evidenced perhaps, by the Juvenile Justice Specialist's lack of involvement in this audit. Strong collaboration between a State's compliance monitoring and grant making arms is critical to the effective operation of both functions. The State should work to improve its efforts at communication and coordination across divisions.

FSO Field Representative, Allison Ganter, serves as lead on all issues pertaining to Federal compliance monitoring. Currently, the agency's inspection staff is comprised of 10 Field Representatives (8 State employees and 2 contractors) with workloads typically divided by county and/or region. Ms. Ganter's caseload has recently been reduced from twelve counties to four, thus allowing her to devote additional time to the coordination of Federal compliance monitoring functions.

Finding # 1: CSA's lead Compliance Monitor, Allison Ganter, was found to be responsive, conscientious, and detail-oriented. She is well versed and maintains an impressive knowledge of both California statute and Federal compliance regulation. Her skills are a clear asset to the State's compliance monitoring effort.

The primary responsibility of FSO's eight State-employed, Field Representatives is the inspection of local detention facilities to ensure compliance with State standards. As per FSO staff, each of these Field Representatives also devotes a percentage of his/her time to Federal compliance monitoring activities. Two additional Field Representatives, recently added under a FSO contract, devote 100% of their time to monitoring those facilities that fall beyond the purview of State inspection requirements, for compliance with Federal standards.

Since Federal Fiscal Year 2006, CSA has budgeted \$547,000 of each year's Formula Grant award to compliance monitoring efforts, although the allocation of these funds to specific compliance activities remains unclear. In particular, clarification is needed regarding Federal dollars devoted to funding for FSO's Field Representative positions. Although California's 2008 Formula Grant Plan notes that the eight State-employed Field Representatives devote 20% of their time to Federal requirements, FSO staff have estimated this time commitment at only 5-10%.

Finding # 2: CSA must provide a detailed breakdown of the \$547,000 allocated to compliance monitoring in its 2007 and 2008 Formula Grant budgets.

Finding # 3: Under California's system for compliance monitoring, a relatively large number of Field Representatives spend only a small percentage of their time monitoring for Federal requirements. Such an arrangement makes it difficult for Field Representatives to fully understand and become experts on the complexities of Federal requirements. With this in mind, it is critical that all CSA Field Representatives attend all OJJDP compliance trainings, and that this expense is provided for in the State's annual Formula Grants budget. The State must provide a written plan for ensuring that all Field Representatives receive regular training--both internal and external--on Federal compliance monitoring requirements.

Policies and Procedures

Pursuant to page 34 of OJJDP's *Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002*, a State must document, in writing that it has policies and procedures governing the implementation of an adequate compliance monitoring system.

CSA has developed a Policies and Procedures Manual, which was included in California's package of pre-audit materials. While this document--dated December 2006--contains important information on the State's compliance monitoring processes, it does not clearly address each of the 10 elements of an adequate system for compliance monitoring.

Recommendation # 2: The State's Policies and Procedures Manual should be updated annually to reflect current barriers and strategies, statutory/regulatory changes, periodic modifications to compliance procedures, etc. This document must clearly describe how the State meets each of the 10 elements for an adequate compliance monitoring system, as outlined on p. 34 of OJJDP's, "Guidance Manual for Monitoring Facilities Under the JJDP Act of 2002." In particular, more detail is needed on the State's process for data and VCO verification.

Monitoring Authority

As noted in OJJDP's *Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002*, a State must document and describe the authority under which the designated State agency tasked with compliance monitoring enters facilities to inspect and collect data from all facilities in the monitoring universe.

California's legal authority to conduct compliance monitoring is primarily found in the Welfare and Institutions Code (WIC), Section 209 of California Law, and/or the California Penal Code, Section 6031. State code dictates that the Board of Corrections (now CSA) must, "inspect each local detention facility in the State biennially." The CSA monitors compliance with the JJDP Act's core requirements in conjunction with its biennial inspection cycle (mentioned above). However, many facility types that fall under the auspices of the JJDP Act are excluded from the State's definition of "local detention facilities."

Recommendation # 3: Although CSA's authority to monitor and sanction most facilities is quite strong, this authority does not extend to State-operated juvenile training schools, State prisons, non-secure facilities (group homes, law enforcement offices, etc.) and law enforcement facilities that would be non-secure if not for the presence of a cuffing rail or bench. The agency should pursue legislative change or seek an executive order that allows Field Representatives access and provides sanctioning authority for all facilities that could hold juveniles pursuant to public authority and where violations of DSO, Separation or Jail Removal may occur.

Monitoring Timetable

As noted in OJJDP's *Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002*, a State must maintain an annual calendar demonstrating when and where compliance monitoring will occur.

A monitoring timetable was provided to OJJDP with the State's package of pre-audit materials. It documents activities on a quarterly basis and includes identification and classification of the monitoring universe, inspections and data collection. The timetable does not, however, include information on how or when the State verifies data once it has been collected.

Recommendation # 4: The State's Monitoring Timetable should be revised and updated to include data verification functions. California's monitoring timetable would also be strengthened with the development of a more specific timeline for inspections, listing all facilities to be visited over the State's specified biennial or triennial timeframes, and the approximate month/year when each visit is projected to occur.

Violation Procedures

A State's monitoring system must describe procedures established for receiving, investigating, and reporting complaints of violations of the DSO, Separation, and Jail Removal core requirements. This should include both legislative and administrative procedures and sanctions.

As per CSA, staff review all secure detention holds identified on the monthly *Status Offender Detention* and *Federal Minors in Detention* reports and through its inspection process. In the event that violations are identified, a Field Representative contacts the facility to review details of the detention and either confirm that a violation did occur, or determine if a reporting error was made. Technical assistance is offered as a follow-up. In the event that repeated violations occur in a facility type that is regulated by State standards, the facility in question may be closed to minors until such time as conditions are again deemed suitable.

Definitions

States may have different definitions for juvenile and criminal justice terms than those provided in the JJDP Act. States must document and ensure that all State definitions that differ from Federal definitions have been identified and will be addressed in the monitoring process. Specifically, States must certify that where State definitions differ from federal definitions, in the monitoring process, federal definitions will be utilized.

The State has prepared a detailed chart that provides California's definitions of key terms and compares them to Federal definitions. With a few exceptions (most notably the State's facility definitions, which are exceedingly complex) State and Federal terms correspond closely. CSA has noted its policy of utilizing Federal definitions where there is discrepancy. California's statutory definitions may be found in the State's Code of Regulations, Title 15 – Minimum Standards for Local Detention Facilities, Section 1006, Definitions, and the California Code of Regulations, Title 15 – Minimum Standards for Juvenile Facilities, Section 1302, Definitions.

The following key terms were found to comport with Federal definitions with exceptions as noted:

- \$ Status offender*
- \$ Non-offender
- \$ Delinquent
- \$ Sight and Sound Separation
- \$ Secure
- \$ Deinstitutionalization of Status Offenders**
- \$ Jail Removal
- \$ Juvenile

*Minor in Possession (MIP) is a delinquent offense in California as per *Section 25662(a)* of California's Business and Professions Code.

**As per *WIC section 207*, secure custody of a status offender in a juvenile detention facility may be extended to 72 hours when

the return of the minor cannot reasonably be accomplished within 24 hours due to the distance of the parents or guardian from the county of custody, difficulty in locating the parents or guardian, or difficulty in locating resources necessary to provide for the return of the minor.

Recommendation # 5: Section 207 of California's Welfare and Institutions Code holds that a juvenile status offender may be held securely in a juvenile detention center for up to 72 hours in some circumstances. Because it does not limit the time status offenders may be securely held to 24 hours prior to and immediately following an initial court hearing, this provision is in conflict with the Deinstitutionalization of Status Offenders (DSO) provision of the JJDP Act. As most judges, intake workers, and other local facility staff are familiar with and will give precedence to State law, such a provision is likely to increase violations of federal DSO requirements. In addition, when a State's DSO rate exceeds 5.7 but is less than 29.4 per 100,000 juveniles, a finding of compliance with de minimis exceptions requires that all or substantially all of the State's noncompliant incidents are in violation of State law. The State's eligibility to claim de minimis requirements on its annual compliance monitoring report is, therefore, diminished by this provision.

It is recommended that the State seek legislative change such that WIC 207 more fully comports with the Federal Act. At a minimum, local facility staff and the judiciary should be educated on federal standards and the potential repercussions for the State if these standards are not met.

Identification of the Monitoring Universe

All facilities in the State that might hold juveniles pursuant to public authority must be identified and included in the monitoring universe. Every facility that has this potential, regardless of the purpose for housing juveniles, comes under the purview of the monitoring requirements. This includes facilities owned or operated by both public and private agencies.

As per CSA's *Compliance Monitoring Manual* and yearly monitoring timetable, the agency updates its monitoring universe on an annual basis, by surveying all existing and potential facilities in the monitoring universe. Surveys are distributed by February of each year. This instrument is also utilized to collect information relative to the classification of each facility. Based upon these responses, CSA updates its monitoring universe for the year. Facilities are also identified via queries to those agencies with licensing authority, including the Departments of Social Services and Mental Health.

In the period since OJJDP's January 2007 Compliance Monitoring training in San Diego, CSA has continued efforts to update and expand its monitoring universe, which the agency acknowledges had failed to include many of the State's non-secure law enforcement facilities and law enforcement facilities with cuffing fixtures.

CSA reported the following facilities in its 2008 Compliance Monitoring Universe:

Juvenile Detention Centers	62
Juvenile Training Schools	75
Adult Jails	124
Adult Lock-ups	630
Court Holding	114
Group Homes	1,516
Adult Prisons	33
Community Treatment (MH)	4

Finding # 4: The State must continue efforts to update its monitoring universe such that all facilities that may hold juveniles pursuant to public authority are included. The State's system for identification should be modified as necessary, to ensure that all such facility types are promptly identified and incorporated into the monitoring universe.

Classification of the Monitoring Universe

Classification of all facilities in the monitoring universe is required in order to determine facility type (e.g. juvenile detention or correctional facility, adult correctional institution, jail, lockup, or other secure or non-secure facility). In addition, the classification process determines whether each facility is secure or non-secure, public or private, and whether the population is juveniles only, adults only or juveniles and adults. This information is critical to determining the applicability of each core requirement to each facility.

CSA collects classification information via the aforementioned annual facility surveys to both juvenile and adult facilities in January or February of each year. These self-reported classifications are utilized to determine facility reporting requirements and are verified via the State's onsite inspection process.

Recommendation # 6: Surveys currently utilized by the State for the purposes of classification ask that facilities indicate their intent to hold juveniles in the coming year—something that can be difficult to accurately predict and could easily change under unexpected circumstances. Querying facilities regarding their holds in the preceding year is likely to be a more accurate gauge of future holding practices.

Inspection of Facilities

Inspection of facilities is required to confirm classification according to regulations and to verify that adequate sight and sound separation is provided between juvenile and adult inmates. Such inspections are necessary to validate the protections required by the Act and to determine whether adequate data is maintained to show compliance with the core requirements. OJJDP recommends that States inspect 100% of all secure facilities in the monitoring universe once every three years. A minimum of 10% of each facility type must be inspected annually.

As previously noted, California statute requires the inspection of “local detention facilities” biennially. Included are all adult jails, lockups constructed after 1978 (excepting those considered secure only by virtue of a cuffing fixture) court holding facilities, juvenile detention centers and juvenile camps (which are locally administered). Other facility-types are excluded from the State’s statutory requirements and are monitored on varying schedules. Lockups constructed prior to 1978, non-secure law enforcement facilities, and lockups that are secure only by virtue of a cuffing fixture, are inspected triennially, per CSA’s monitoring timetable. In addition, the agency has noted that collocated facilities and State-run juvenile training schools are inspected on an annual basis. CSA relies upon the California Department of Social Services (DSS) for the inspection of group homes. As per the State’s materials, DSS annually visits all group homes to verify their non-secure status. Although included in the State’s monitoring universe, CSA has not historically inspected prisons for compliance with the JJDP Act core requirements.

Finding #5: Through the course of this audit, it has come to OJJDP’s attention that some California prisons may be continuing to engage in scared straight or shock incarceration type programming. Programs of this nature bring delinquent and/or status offender youth, to adult prisons or jails to meet and talk with adult inmates, in violation of the JJDP Act’s core requirements. Research has revealed that such programs have no positive effect on participant youth, and in some cases may increase recidivism. The State must inspect adult prisons to ensure that juveniles who enter the facility pursuant to public authority, do not have contact with adult prisoners. Within 60 days of receipt of this report, CSA must provide a comprehensive plan to investigate and address this practice in all 33 of the State’s prison facilities. In the absence of written verification that these programs have been discontinued, all such violations must be tallied and reported on the State’s 2008 compliance monitoring report.

Finding #6: CSA’s 2007 Compliance Monitoring Report indicates that only one collocated facility was inspected during the reporting period. As per p.29 of OJJDP’s, “Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002,” an annual onsite review of each collocated facility must be conducted by the Designated State Agency (DSA) of the JJDP Act Formula Grants Program. The purpose of this annual review is to ensure that the separate character of the juvenile detention facility is maintained by continuing to fully meet the four criteria set forth on p.28-29.

Data Collection/Verification

Data collection and on-site data verification are required to determine whether facilities are in compliance with the applicable requirements of DSO, separation, and jail removal. On site data verification must involve the review of data self-reported by a facility, including a review of the facility’s admissions records and/or booking logs. The Compliance Monitor must verify, onsite,

self-reported data prior to the submission of the data to OJJDP in the annual compliance monitoring report.

Currently, in the State of California, facilities self-report JJDP Act violations to CSA on one of several different forms developed by the agency for this purpose. Pursuant to WIC Section 207.1 (d)(F), adult facilities that hold juveniles must maintain logs to track the number, duration, and reason for secure detention of minors. These logs become the basis for the *Monthly Report on the Detention of Minors* submitted to CSA by all adult jails and lockups that have stated their intent to hold juveniles on the State's annual classification survey. For each month, facilities report the number of minors securely detained 6 hours or less, the number of minors detained more than 6 hours, and the number of status or non-offenders securely detained for any length of time. Because California law prohibits non-secure holds of juveniles in excess of 6 hours, this information is also collected.

Finding # 7: CSA currently utilizes its annual facility survey to determine reporting requirements for adult jails and lockups in the upcoming year. Those adult facilities that indicate they do not intend to hold juveniles, are exempt from completing the State's Monthly Report on Detention of Minors. This system is problematic in that it does not provide a mechanism for the reporting of unexpected holds. The State must ensure that a system is in place for the prompt reporting of all juvenile holds in adult facilities.

Self-reporting is also utilized in California juvenile facilities, which annually certify their intent to hold status offenders or federal wards pursuant to Federal contract. Those that indicate their intent to hold (a majority of the State's juvenile facilities do not hold status offenders) must submit the State's *Status Offender Detention Report* or *Federal Minors in Detention Report* for each status offender or Federal ward held securely. Forms provide information on offense, accused or adjudicated status, and the length of time each juvenile is held. Facilities reporting the detention of an adjudicated status offender must also complete and attach the State's Valid Court Order (VCO) exception checklist and a copy of the court order. At present, only 3 of the State's facilities continue to utilize the VCO exception (Kearny-Mesa, Los Padrinos and Bakersfield).

Finding # 8: Under California's current system for data collection, juvenile detention facilities report all status offender holds to CSA on a form known as the Status Offender Detention Report. However, this form does not provide a place to report the secure holding of non-offenders in juvenile detention facilities. CSA must ensure that a mechanism is in place for the annual reporting of all non-offender holds.

CSA staff verify all self-reported violations with follow-up phone calls to the facility in question. Data is also verified as a part of the State's on-site inspection process. VCOs are verified on-site at a rate of 10% annually.

Recommendation # 7: CSA's data collection process relies upon individual facilities to self-report JJDP Act violations. Such an arrangement places considerable burden on facility staff

to understand complex Federal requirements and where they diverge from State standards. The problem of Field Representatives who spend little time on Federal requirements, combined with frequent staff turnover at the facility level, serves only to increase the likelihood of reporting errors. It is strongly recommended that CSA revise its data collection practices such that facilities report actual juvenile admissions data, which is subsequently reviewed for violations by State staff who are experienced with Federal requirements.

COMPLIANCE DATA VERIFICATION

The audit included on-site, random data verification at one juvenile detention hall, one juvenile correctional facility, one court holding facility, one adult jail, one lock-up facility, and one nonsecure group home

O.H. Close Youth Rehabilitation Facility (Juvenile Correctional Facility)

7650 South Newcastle Road

P.O. Box 213001

Stockton, CA 95213-9001

This State-operated (Division of Juvenile Justice, formally the California Youth Authority) juvenile correctional facility is one of four institutions that comprise the Northern California Youth Corrections Center. Located in Stockton in San Joaquin County, O.H. Close holds predominantly young male offenders, ages 14-15 in dormitory-style living units. On the date of this audit, the facility housed a total of 187 youth from across the State. The facility features six specialized units, with approximately 40 youth per unit.

A review of admission logs from the 2007 reporting period revealed no status offenders securely detained at this facility. In addition, as per O.H. staff, all maintenance and food service functions are performed contractually or by State employees. The facility does not utilize adult trustee labor.

Martinez Detention Facility (Adult Jail)

Contra Costa County Sheriff's Office

1000 Ward Street

Martinez, CA 94553

The Martinez Detention Facility holds pre-trial adult inmates sentenced for up to one year, with an average daily population fluctuating between 650 and 675 inmates. As per the facility's written policies and procedures, delinquent and status offender youth are not held at any time. A full review of admissions logs from 2007 revealed 10 minors held over the course of the reporting period. It was verified that all youth were held pursuant to adult court jurisdiction. No unreported violations were noted at this facility.

Solano County Justice Center (Court Holding Facility)
Solano County Sheriff's Department
500 Union Avenue
Fairfield, CA 94533

The Solano County Justice Center is a court holding facility that houses prisoners awaiting arraignment or trial. A separate unit has been designated solely for youth offenders. As per facility staff, juveniles are transported through their own sally port entrance. A tunnel and elevator lead to the juvenile holding area, which includes 5 cells and 2 courtrooms that are directly attached. It was noted that an adult inmate may rarely enter the courtroom through the juvenile holding area. In this event, the facility's policy is to place paper over the cell windows. A county correctional officer and two probation officers are assigned to monitor the youth while they await their hearings.

All cells in the Justice Center's juvenile area were verified to be non-residential in nature. In addition, it was noted that juveniles are never sentenced to spend time in the court holding cells.

Recommendation # 8: It is recommended that the Solano County Sheriff's Department update its policy and procedures to address time phasing of juvenile and adult inmates during movement through the tunnels and elevator.

Los Padrinios Juvenile Hall (Juvenile Detention Facility)
Los Angeles County Probation Department
9150 East Imperial Highway
Downey, CA 90242

In California, a juvenile detention facility is referred to as a juvenile hall. These large, county-operated facilities hold both pre-adjudicated minors and youth who have been committed by the court for a specific time period. The Los Padrinios Juvenile Hall was opened in 1959, and its average daily population is approximately 550 youth (male and female) from Los Angeles county. Delinquent offenders generally stay between 6-7 months. As per staff, adult trustee labor is not utilized at this facility.

Status offenders (predominantly in and out-of-State runaways) have their own small unit and are sight/sound separated from delinquent youth by State law. Los Padrinios is the only facility in the county that holds status offenders or runaways. As per staff, 75% to 80% of the facility's out-of-State runaways are held pursuant to the Interstate Compact, with an average of 1-3 juveniles in the status offender unit at any given time. On the date of this visit, only one male youth—an Interstate Compact runaway—was found to be in custody. We were advised that this youth was awaiting his next court appearance and had been on the unit for at least two weeks. His next hearing was more than a week away. Interstate compact paperwork was unavailable for review.

Finding # 9: CSA must ensure that documentation of the Interstate Compact process is

maintained in the facility's file for all runaway youth detained pursuant to the Compact. Where adherence to the Interstate Compact process cannot be verified, those youth held in excess of Federal time frames must be reported as violations of DSO.

To facilitate the data verification process, staff at Los Padrinos were asked to provide a copy of the facility's full admissions log for the period of 8/1/07-8/15/07. This time period included admissions totaling more than 500 youth. Unfortunately, due to limitations in the center's data system, it was not possible to generate a report that included all information necessary to identify possible violations of the DSO core requirement. Although Los Padrinos staff volunteered to manually create such a log specifically for OJJDP's purposes, this process was lengthy and time-consuming. As a result, data was not available until such time as OJJDP auditors had departed the State. A subsequent review of this data, revealed many juveniles held in excess of 24 hours for offenses that could not be clearly identified as delinquent or status.

Finding # 10: Given the substantial difficulties encountered in attempts to verify Los Padrinos data, CSA's process for data verification at this and other juvenile detention facilities is unclear. The State must utilize the full facility admissions log to verify data at juvenile halls, so as to ensure that all status offenders have been accounted for in the facility's reports to CSA. In those instances where a juvenile is held in excess of 24 hours and offense information is ambiguous (i.e. probation violation, warrant, minor in violation of court order, etc.) the individual file must be pulled and the originating offense verified. It is not sufficient to verify information only for those youth who have been reported as status offenders on the facility's Status Offender Detention Reports. For VCO violators, the State must document that all VCO process requirements have been met, as outlined on p.23-24 of OJJDP's "Guidance Manual for Monitoring Facilities under the JJDP Act of 2002." Within 60 days of receipt of this report, CSA must provide a detailed description of its process for data verification at both juvenile and adult facilities. In addition, the State must provide a plan for ensuring that all Field Representatives are appropriately adhering to this process.

Downey Police Department (Adult lock-up)
10911 Brookshire Avenue
Downey, CA 90241

This large, modern police facility was constructed in 1984 and is located in Los Angeles County. It serves the city of Downey—a jurisdiction of approximately 115,000 residents. As per staff, the facility processes an average of 2 -3 juveniles a day, with the most common juvenile offenses being theft and vandalism. The Department also sees 1-2 status offenders per week. There are five cells, one of which is a sobering tank. Juveniles are brought through a separate entrance and are most often held non-securely waiting to be processed.

A review of admission logs revealed that only four youth were held securely in 2007—none for greater than six hours. One of these youth was a status offender, resulting in violations of jail removal and DSO. As a result of an administrative error by the facility, these violations were not

reflected on the State's monitoring report for the period in question. In addition, it was noted that the facility does not record the cell number in which each juvenile is held. This is important because not all cells are sight/sound separated.

Finding # 11: To ensure that the sight/sound separation of youth can be adequately verified, the Downey Police Department must modify its admissions log to include the cell number where each juvenile is held. In addition, to avoid confusion, it is recommended that the facility maintain separate juvenile logs for status and delinquent offenders.

Sacramento Children's Home (Non-secure Group Home)
2750 Sutterville Road
Sacramento, CA 95820

The Sacramento Children's Home was first opened in 1867 and served as an orphanage in its early history. The multi-building complex is situated on a sprawling, wooded campus with residential units called cottages. Both delinquent offenders and non-offenders are served by this facility, which has a capacity of 50 youth. The average length of stay was noted as 9-14 months. The Sacramento Children's Home is licensed by the California Department of Social Services (DSS) and is managed by the Sacramento Children's Home, Inc. On the date of this visit, we were accompanied three DSS staff, who are responsible to annually visit each of the State's non-secure facilities to ensure that they remain non-secure.

A tour of the facility revealed no secure areas with the exception of one cottage that was noted to have large bedroom closets with padlocks.

Recommendation # 10: Although staff at the Sacramento Children's Home have indicated that the facility's secure closets are never utilized to securely hold residents, it is recommended that the locking mechanism be modified to ensure that the space could not be utilized for such a purpose.

DOCUMENTS RECEIVED

The following documents are in the OJJDP Compliance Monitoring Audit file for California:

— Program Site Visit Binder that includes.

- ☐ Agenda
- ☐ Compliance Monitoring Definitions
- ☐ Compliance Monitoring Universe dated July, 2008
- ☐ 2007 Compliance Monitoring Report
- ☐ Organizational Chart of the Corrections Standard Authority
- ☐ California's Yearly Compliance Monitoring Timetable

- ☐ Policy and Procedures Manual dated December 2006
- ☐ Excerpts from the Welfare and Institutions Code and Title 15, California Code of Regulations, Sections Specific to the Core Requirements of the JJDP Act
- ☐ Forms and surveys used to collect data from juvenile detention and correctional facilities, collocated facilities and adult facilities.